

1 THE HONORABLE MARSHA J. PECHMAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9
10 THE POKÉMON COMPANY
11 INTERNATIONAL, INC., a Delaware
12 corporation,
13

Plaintiff,

v.

14 BRYAN GARCIA CRUZ, an individual,
15

Defendant.

No. 19-cv-1911MJP

PLAINTIFF THE POKÉMON COMPANY
INTERNATIONAL, INC.'S MOTION TO
EXTEND THE DEADLINE FOR THE
JOINT STATUS REPORT & RELATED
DEADLINES

NOTE ON MOTION CALENDAR:
July 31, 2020

16
17 Plaintiff, The Pokémon Company International, Inc. ("TPCi"), moves this Court under
18 Federal Rule of Civil Procedure 6(b)(1) for a 60-day extension of the deadline for the parties to
19 file a Joint Status Report and all associated deadlines.

20 **I. BACKGROUND**

21 Defendant Bryan Garcia Cruz leaked more than a dozen images from TPCi's *Pokémon*
22 *Sword and Shield: The Official Galar Region Strategy Guide* ("Strategy Guide"), which TPCi
23 created to accompany the release of two highly anticipated video games, *Pokémon Sword* and
24 *Pokémon Shield*. TPCi sued then-anonymous John/Jane Doe Defendants on November 22,
25 2019. Dkt. No. 1. On March 26, 2020, TPCi amended its complaint to name Mr. Cruz. Dkt.
26 No. 17. The next day, TPCi sent a letter to Mr. Cruz requesting that he waive service. Mr. Cruz

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1 returned the waiver of service on May 15, 2020, and TPCi filed it on May 18, 2020. Dkt. No.
 2 22.

3 Since then, TPCi and Mr. Cruz have been engaged in discussions regarding the leaked
 4 Strategy Guide images, how others may have been involved in the leaks, and prospects for
 5 settlement. Declaration of Jacob P. Dini (“Dini Decl.”) ¶ 2. These discussions are ongoing. In
 6 addition, as TPCi continues to learn more about the leaked images from Mr. Cruz, it may seek
 7 leave to name an additional defendant. TPCi seeks a 60-day extension of the deadline for the
 8 Joint Status Report and associated deadlines to allow time for these productive discussions to
 9 continue.

10 **II. ARGUMENT**

11 A motion to extend the deadline for the Joint Status Report and related activities may be
 12 granted for good cause. *See* Fed. R. Civ. P. 6(b)(1). Good cause exists here. The Joint Status
 13 Report is due July 31, 2020. Dkt. No. 21. TPCi and Mr. Cruz continue to engage in good faith
 14 discussions regarding the leaked Strategy Guide images and the possibility of settlement.
 15 Because these discussions are ongoing and may lead to the ultimate resolution of this dispute
 16 with respect to Mr. Cruz and/or identification of another defendant, it would be premature to
 17 hold a Case Management Conference, serve initial disclosures, or submit a Joint Status Report.
 18 Accordingly, in the interest of justice and to enhance judicial efficiency and preserve resources,
 19 TPCi respectfully requests that the deadline for the Joint Status Report be extended
 20 approximately 60 days to September 29, 2020, with all related deadlines to be extended
 21 accordingly.

22 **III. CONCLUSION**

23 For the foregoing reasons, TPCi respectfully requests that the Court grant TPCi’s motion
 24 for a 60-day extension of the deadline to submit the Joint Status Report and all related deadlines.
 25

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 MOTION TO EXTEND DEADLINES
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1 DATED this 22nd day of July, 2020.
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s/Jacob P. Dini
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8 Attorneys for Plaintiff
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MOTION TO EXTEND DEADLINES
(No. 19-cv-1911MJP) – 3

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